

House Study Bill 257

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON GASKILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to local regulation of certain lawn applications.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 2146HC 83
4 tm/sc/5

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1 1 Section 1. Section 200.22, subsection 2, Code 2009, is
1 2 amended to read as follows:
1 3 2. ~~The Except as provided in subsection 2A, the provisions~~
1 4 of this chapter and rules adopted by the department pursuant
1 5 to this chapter shall preempt local legislation adopted by a
1 6 local governmental entity relating to the use, sale,
1 7 distribution, storage, transportation, disposal, formulation,
1 8 labeling, registration, or manufacture of a fertilizer or soil
1 9 conditioner. A local governmental entity shall not adopt or
1 10 continue in effect local legislation relating to the use,
1 11 sale, distribution, storage, transportation, disposal,
1 12 formulation, labeling, registration, or manufacture of a
1 13 fertilizer or soil conditioner, regardless of whether a
1 14 statute or rule adopted by the department applies to preempt
1 15 the local legislation. Local legislation in violation of this
1 16 section is void and unenforceable. However, local legislation
1 17 adopted pursuant to subsection 2A is not considered to be in
1 18 violation of this section.

1 19 Sec. 2. Section 200.22, Code 2009, is amended by adding
1 20 the following new subsection:
1 21 NEW SUBSECTION. 2A. A local governmental entity may adopt
1 22 local ordinances regulating the use of lawn applications
1 23 containing phosphorus on property zoned for residential use
1 24 and property zoned for commercial use which is used for
1 25 residential purposes provided the adopted local ordinances are
1 26 not less stringent than applicable state law or rules adopted
1 27 by the department. This subsection shall not apply to
1 28 property zoned for commercial or residential use if the
1 29 property is used for agricultural purposes.

1 30 EXPLANATION

1 31 This bill relates to local regulation of certain lawn
1 32 applications.

1 33 The bill allows local governmental entities to adopt local
1 34 ordinances regulating the use of lawn applications containing
1 35 phosphorus on residentially zoned property and commercially
2 1 zoned property used for residential purposes provided the
2 2 adopted local ordinances are not less stringent than
2 3 applicable state law or rule. Such ordinances shall not apply
2 4 to property zoned for residential or commercial use if the
2 5 property is used for agricultural purposes.

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